State of South Dakota

SEVENTY-SECOND SESSION LEGISLATIVE ASSEMBLY, 1997

400A0271

HOUSE BILL NO. 1025

Introduced by: The Committee on Agriculture and Natural Resources at the request of the Department of Game, Fish, and Parks

1	FOR AN ACT ENTITLED, An Act to revise the requirements to obtain a shooting preserve						
2	operating permit, to revise the license requirements to hunt on a shooting preserve, and to						
3	provide for additional violations which are cause to revoke or suspend a shooting preserve						
4	operating permit.						
5	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:						
6	Section 1. That § 41-10-7 be amended to read as follows:						
7	41-10-7. If the Game, Fish and Parks Commission finds that:						
8	(1)	The applicant for a shooting preserve operating permit proposes to comply with all					
9		of the provisions of this chapter;					
10	(2)	The applicant is financially able to provide the necessary facilities and services to					
11		operate a shooting preserve;					
12	(3)	The preserve shall be open to the general public without restrictions as to race, color,					
13		or creed;					
14	(4)	The operation will not work a fraud upon persons who are permitted to hunt thereon;					
15	(5)	The operation is not designed to circumvent game laws and regulations;					

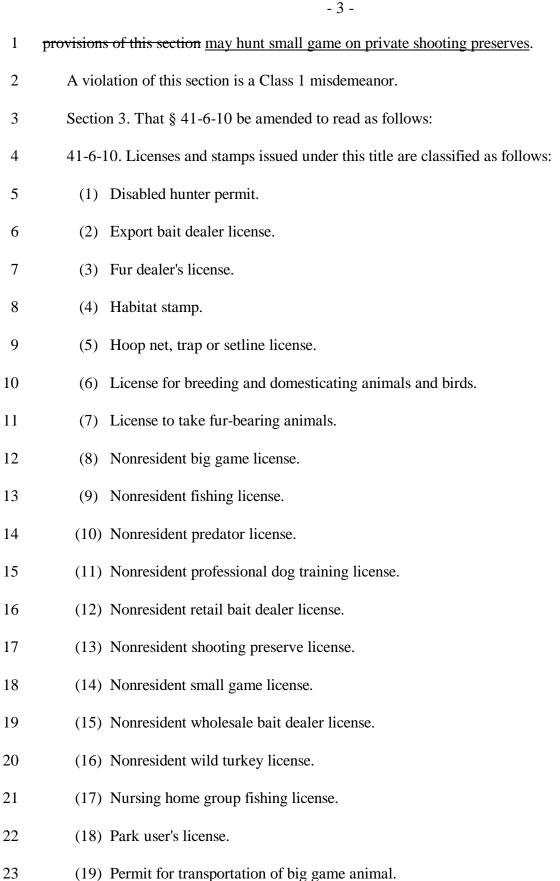
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(6) The	issuance	of the	permit	will	be in	the	public	interest:

2 (7) The applicant is a resident of the state;

- 3 (8) The applicant does not operate or own any interest in more than two shooting preserves; and
 - (9) The preserve for which an operating permit is requested is at least one mile from any game production area or other publicly owned shooting area, or if located within one mile of such areas, the preserve would not take unfair advantage of wildlife habitat developments or wildlife population existing on those areas, or would not otherwise be detrimental to the public interest; and
 - (10) The preserve applicant has not violated any provisions of this chapter or any state or federal laws and regulations relating to any hunting activities within the past year; the commission shall approve the application and issue a shooting preserve operating permit for the operation of a shooting preserve on the property described in the application with the rights and subject to the limitations prescribed in this chapter and the commission rules promulgated thereunder. However, the The provisions of subdivisions (7) and (9) of this section do not apply to any shooting preserve licensed pursuant to this chapter, prior to July 1, 1986.
 - Section 2. That § 41-10-12 be amended to read as follows:
 - 41-10-12. A South Dakota resident basic game and fish license and a resident shooting preserve license are required of each resident hunting on a shooting preserve. Any nonresident hunting small game on a shooting preserve shall obtain the nonresident shooting preserve license.
 - Any license issuing agent who may issue a resident or nonresident small game license and a habitat stamp appointed by the county treasurer may issue a resident or nonresident shooting preserve license.
- Any person who has obtained all the required state licenses and stamps license to hunt small game in South Dakota outside of private shooting preserves is exempt from the licensing

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25 (21) Resident basic game and fish license.

(20) Private fish hatchery license.

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- 1 (22) Resident big game license.
- 2 (23) Resident elk license.
- 3 (24) Resident fishing license.
- 4 (25) Resident professional dog training license.
- 5 (26) Resident retail bait dealer license.
- 6 (27) Resident shooting preserve license.
- 7 $\frac{\text{(28)}}{\text{Resident small game license.}}$
- 8 (29)(28) Resident wholesale bait dealer license.
- 9 (30)(29) Resident wild turkey license.
- 10 (31)(30) Scientific collector's license.
- 11 (32)(31) Special nonresident waterfowl license.
- 12 (33)(32) Special Pine Ridge Indian reservation resident and nonresident big game
- license.
- 14 (34)(33) Taxidermist's license.
- 15 (35)(34) Temporary fishing license.
- $\frac{(36)(35)}{(35)}$ Waterfowl restoration stamp.
- The rights and privileges of such licensees are set forth in §§ 41-6-11 to 41-6-45.1, inclusive,
- and in § 41-17-13. The Game, Fish and Parks Commission shall promulgate rules pursuant to
- chapter 1-26 to set the fees for such licenses. No fee for a professional dog training license may
- 20 exceed one hundred dollars.
- 21 Section 4. That § 41-10-19 be amended to read as follows:
- 41-10-19. The Game, Fish and Parks Commission may, pursuant to chapter 1-26, revoke or
- 23 suspend the permit of a permittee for any violation of this chapter or any of the rules of the
- 24 commission state or federal laws and regulations relating to any hunting activities.